

WRIGHT, FINLAY & ZAK, LLP
Dana J. Nitz, Esq.
Nevada Bar No. 0050
Corrine P. Murphy, Esq.
Nevada Bar No. 10410
7785 West Sahara Avenue, Suite 200
Las Vegas, NV 89117
(702) 475-7964; Fax: (702) 946-1345
dnitz@wrightlegal.net
cmurphy@wrightlegal.net

Attorneys for Plaintiff/Counter/Cross-Defendant, PROF-2016-S3 Legal Title Trust IV, by U.S. Bank National Association, as Legal title Trustee

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PROF-2013-S3 LEGAL TITLE TRUST IV, BY
U.S. BANK NATIONAL ASSOCIATION, AS
LEGAL TITLE TRUSTEE,

Case No.: 2:17-cv-00119-APG-NJK

Plaintiff,

VS.

STIPULATION AND ORDER TO EXTEND DISCOVERY

(FIRST REQUEST)

SFR INVESTMENTS POOL I, LLC, a Nevada Limited Liability Company; LA MANCHA HOMEOWNERS ASSOCIATION, INC.; ALESSI & KOENIG, LLC,

Defendants.

**SFR INVESTMENTS POOL I, LLC, a Nevada
Limited Liability Company,**

Counter/Cross-Claimant

VS.

PROF-2013-S3 LEGAL TITLE TRUST IV, BY
U.S. BANK NATIONAL ASSOCIATION, AS
LEGAL TITLE TRUSTEE; and SUZANNE C.
ESREY, an individual

Counter/Cross-Defendants

1 Plaintiff/Counter/Cross-Defendant, PROF-2016-S3 LEGAL TITLE TRUST IV, BY
2 U.S. BANK NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE (“U.S. Bank”), by
3 and through its attorneys of record of the law firm of Wright, Finlay & Zak, LLP,
4 Defendant/Counter/Cross-Claimant, SFR INVESTMENTS POOL 1, LLC (“SFR”) by and
5 through its attorneys of record Kim Gilbert Ebron, and Defendant LA MANCHA
6 HOMEOWNERS ASSOCIATION, INC. (“La Mancha”), by and through its attorneys of record
7 Boyack Orme & Anthony, (collectively “Parties”) hereby stipulate and agree to extend
8 discovery follows:

9

10 **A. DISCOVERY COMPLETED TO DATE:**

11

12 1. On November 2, 2017, the Court filed a Scheduling Order [ECF No. 38] setting
13 forth the following discovery deadlines:

14 Close of Discovery: April 30, 2018

15 Motion to Amend Deadline: January 30, 2018

16 Initial Expert Disclosure: March 1, 2018

17 Rebuttal Expert Disclosure: April 2, 2018

18 Dispositive Motion Deadline: May 30, 2018

19

20 2. La Mancha served its FRCP 26(f) Conference List of Witnesses and Documents
21 on December 1, 2017.

22

23 3. U.S. Bank served its FRCP 26(f) Conference List of Witnesses and Documents
24 on February 5, 2018.

25

26 4. SFR served its Notice Of Rule 30(B)(6) Deposition Of U.S. Bank National
27 Association, on February 5, 2018, setting the deposition for April 16, 2018.

28 5. U.S. Bank served its Initial Disclosure of Expert Witness on February 23, 2018.

1 6. U.S. Bank served its Subpoena to Produce Documents, Information, or Objects to
2 Alessi & Koenig, LLC, on March 1, 2018.

3 7. U.S. Bank served its Notice of Taking Deposition of F.R.C.P 30(B)(6) Witness
4 For La Mancha Homeowners Association, Inc., on March 1, 2018, setting the deposition for
5 April 20, 2018.

6 8. U.S. Bank served its Notice Of Taking Deposition Of F.R.C.P 30(B)(6) Witness
7 For SFR Investments on March 1, 2018, setting the deposition for April 20, 2018.

8 9. SFR served its First Set of Interrogatories to U.S. Bank on March 12, 2018.

9 10. SFR served its First Request for Admissions to U.S. Bank on March 12, 2018.

10 11. SFR served its First Request for Production of Documents to U.S. Bank on
11 March 12, 2018.

12 12. U.S. Bank served its First Set of Interrogatories to SFR on March 26, 2018.

13 13. U.S. Bank served its First Set of Requests for Production of Documents to SFR
14 on March 26, 2018.

15 14. U.S. Bank served its First Set of Requests for Admissions to SFR on March 26,
16 2018.

17 15. U.S. Bank served its First Set of Interrogatories to La Mancha on March 26,
18 2018.

19 16. U.S. Bank served its First Set of Requests for Production of Documents to La
20 Mancha on March 26, 2018.

21 17. U.S. Bank served its First Set of Requests for Admissions to La Mancha on
22 March 26, 2018.

23 **B. DISCOVERY ANTICIPATED TO BE COMPLETED IN THE FUTURE:**

24 1. Depositions of Fact and Percipient Witnesses.

1 2. U.S. Bank to respond to remaining outstanding written discovery from SFR.
2 3. SFR to respond to remaining outstanding written discovery from U.S. Bank.
3 4. La Mancha to response to remaining outstanding discovery from U.S. Bank.
4 5. SFR to serve its FRCP 26(f) Conference List of Witnesses and Documents.
5 6. Additional production of documents and witness list from all Parties.
6

7 **C. REASONS WHY DISCOVERY SHOULD BE EXTENDED:**

8 The Parties are actively conducting discovery in this matter. Although La Mancha's
9 30(b)(6) deposition was set on March 1, 2018, for April 20, 2018, La Mancha's counsel recently
10 learned they do not have deposition availability any time before mid-May, which is after the
11 currently scheduled close of discovery. Further, there are outstanding written discovery
12 requests, which likely the Parties will require an extension on in order to answer. An extension
13 of the current discovery deadlines is necessary to allow all Parties to participate in and complete
14 discovery, including set a key party's deposition and respond meaningfully to written discovery.
15 The Parties are requesting a 60 day extension to allow sufficient time to re-schedule and
16 conduct depositions and complete other outstanding discovery that may become necessary, as
17 well as explore settlement.
18

19 **D. PROPOSED DISCOVERY EXTENSION:**

20 **1. The current discovery deadlines**

21 Close of Discovery:	April 30, 2018
22 Motion to Amend Deadline:	January 30, 2018
23 Initial Expert Disclosure:	March 1, 2018
24 Rebuttal Expert Disclosure:	April 2, 2018
25 Dispositive Motion Deadline:	May 30, 2018

1 **2. Proposed extended discovery deadlines:**

2 Deadline to complete discovery: **Monday, June 11, 2018¹**

3 Motion to Amend Deadline: January 30, 2018 (unchanged)

4 Initial Expert Disclosure: March 1, 2018 (unchanged)

5 Rebuttal Expert Disclosure: April 2, 2018 (unchanged)

6 Dispositive Motion Deadline **Wednesday, July 11, 2018**

7 This Request is made in good faith and is made 21 days prior to the close of discovery.

8 **IT IS SO STIPULATED.**

9 DATED this 9th day of April, 2018.

10 DATED this 9th day of April, 2018.

11 KIM GILBERT EBRON

12 WRIGHT, FINLAY & ZAK, LLC

13 */s/ Diana S. Ebron*

14 Diana S. Ebron, Esq.

15 Nevada Bar No. 10580

16 Jacqueline A. Gilbert, Esq.

17 Nevada Bar No. 10593

18 Karen L. Hanks, Esq.

19 Nevada Bar No. 009578

20 7625 Dean Martin Drive, Suite 110

21 Las Vegas, Nevada 89139

22 *Attorneys for Defendant/Counter/Cross-Claimant SFR Investments Pool 1, LLC*

23 */s/ Corrine P. Murphy*

24 Dana J. Nitz, Esq.

25 Nevada Bar No. 0050

26 Corrine P. Murphy, Esq.

27 Nevada Bar No. 10410

28 7785 West Sahara Avenue, Suite 200

29 Las Vegas, NV 89117

30 *Attorney for Plaintiff/Counter/Cross-Defendant, PROF-2016-S3 Legal Title Trust IV, by U.S. Bank National Association, as Legal title Trustee*

31 DATED this 9th day of April, 2018.

32 BOYACK ORME & ANTHONY

33 */s/ Adam Breeden*

34 Edward D. Boyack, Esq.

35 Nevada Bar No. 5229

36 Adam Breeden, Esq.

37 Nevada Bar No. 8786

38 7432 West Sahara Avenue, Suite 101

39 Las Vegas, Nevada 89117-2769

40 *Attorneys for Defendant La Mancha Homeowners Association, Inc.*

41

42 ¹ Actual date: Sunday June 10, 2018

NO FURTHER EXTENSIONS
WILL BE GRANTED.

ORDER

IT IS SO ORDERED.

Dated: April 10, 2018


UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted by:

WRIGHT, FINLAY & ZAK, LLC

/s/ Corrine P. Murphy

Dana J. Nitz, Esq.

Nevada Bar No. 0050

Corrine P. Murphy, Esq.

Nevada Bar No. 10410

7785 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117-2789

Attorneys for Plaintiff/Counter-Defendant

PROF-2013-S3 Legal Title Trust IV, by

U.S. Bank National Association, as Legal

Title Trustee